



2681
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PTO/SB/21 (08-00)

Approved for use through 10/31/2002, OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/932,592
		Filing Date	August 17, 2001
		First Named Inventor	Jonathan O. Nelson
		Group Art Unit	2681
		Examiner Name	Not yet assigned
Total Number of Pages in This Submission	5	Attorney Docket Number	41051.P011

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ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	1. Notification of Status Change and Payment of Potential Shortage in Filing Fees; and
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	2. Return Receipt Postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Aloysius T.C. AuYeung, Reg. No. 35,432 COLUMBIA IP LAW GROUP, PC
Signature	
Date	January 30, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

Typed or printed name	Heather L. Adamson
Signature	
Date	01/30/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



41051.P011

2

Utility Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:)
Nelson)
Application No.: 09/932,592)
Filed: August 17, 2001)
For: Emoticon Input Method and Apparatus)

Assistant Commissioner for Patents

Examiner: TBD

Art Unit: 2681

FEB 27 2002
OFFICE OF PETITIONS

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Commissioner for Patents, Washington, DC 20231 on:

Date of Deposit: January 30, 2002
Name of Person Mailing: Matthew L. Adamsen
Signature: Matthew Adamsen Date: 1/30/02

02/26/2002 BNGUYEN1 00000152 09932592

Notification of Status Change and

01 FC:101 740.00 OP
02 FC:103 792.00 OP
03 FC:102 168.00 OP

Payment of Potential Shortage in Filing Fees

Sir:

Applicant hereby notifies the Commissioner of the fact that due to a recent business transaction, Applicant believes Applicant may no longer be entitled to claim small entity status. Accordingly, Applicant hereby formally withdraws such claim.

Further, Applicant encloses herewith a check for the sum of \$869.00, for the potential shortage in filing fees, resulting from Applicant's claim of small entity status at the time of filing. The enclosed payment is for the purpose of ensuring that Applicant is in full compliance with all regulation governing the application for letter patents. Occurrence of the recent business transaction has led to a review of past business transactions, resulting in the identification of other past business transactions previously unknown to Applicant's counsel. At least one of these past business transactions previously unbeknownst to Applicant's counsel may have rendered Applicant ineligible for the small business entity status at the time of filing.

Both Applicant and Applicant's counsel acted in good faith, without deceptive intent, in accordance with the knowledge known to Applicant and Applicant's counsel respectively at the

Attorney Docket No.: 41051.P011
Application No.: 09/932,592

Adjustment date: 02/26/2002 BNGUYEN1 00000152 09932592
02/22/2001 BNRBRAH1 00000065 09932592
-355.00 OP
-396.00 OP
-80.00 OP
01 FC:201
02 FC:203
03 FC:202

time, and both Applicant and Applicant's counsel are hereby acting diligently to correct the possible error, upon learning recently of these past business transactions.

Applicant respectfully requests that the enclosed payment be accepted.

Should other fees be required for Applicant to tender this notice and payment of the potential shortage in filing fee, the Commissioner is hereby authorized to charge any of these shortages or credit any over payment to Deposit Account, number 501569.

Respectfully submitted,
Columbia IP Law Group, P.C.

Date: January 30, 2002

by: 
Aloysius T.C. AuYeung
Reg. No.: 35,432

10260 SW Greenburg Rd.,
Suite 820
Portland, OR 97223
(503) 595-2800



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FEET TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 869.00)

Complete if Known

Application Number	09/932,592
Filing Date	August 17, 2001
First Named Inventor	Jonathan O. Nelson
Examiner Name	Not yet assigned
Group Art Unit	2681
Attorney Docket No.	41051.P011

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METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 501569

Deposit Account Name Columbia IP Law Group, PC

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit Card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	760	214	80	Provisional filing fee	
SUBTOTAL (1) (\$)					

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
64	-20**=	44 X 18.00	=
Independent Claims	5	-3**=	2 X 84.00 =
Multiple Dependent			=

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in Excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)				

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Fee Code	Large Entity Fee (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath	
127	50	227	25 Surcharge - late provisional filing fee or cover sheet	
139	130	139	130 Non-English specification	
147	2,520	147	2,520 For filing a request for ex parte reexamination	
112	920*	112	920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for reply within first month	
116	400	216	200 Extension for reply within second month	
117	920	217	460 Extension for reply within third month	
118	1,440	218	720 Extension for reply within fourth month	
128	1,960	228	980 Extension for reply within fifth month	
119	320	219	160 Notice of Appeal	
120	320	220	160 Filing a brief in support of an appeal	
121	280	221	140 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive - unavoidable	
141	1,280	241	640 Petition to revive - unintentional	
142	1,280	242	640 Utility issue fee (or reissue)	
143	460	243	230 Design issue fee	
144	620	244	310 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	
123	50	123	50 Petitions related to provisional applications	
126	180	126	180 Submission of Information Disclosure Stmt	
581	40	581	40 Recording each patent assignment per property (times number of properties)	
146	740	246	370 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	
Other fee (specify) Potential deficit in filing fee due to possible ineligibility of small entity status				\$869.00
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 869.00)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Aloysius T.O. AuYeung	Registration No. (Attorney/Agent)	35,432	Telephone	503-595-2800
Signature				Date	January 30, 2002

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